

ESTABLISHED 1881.

光緒二十一年閏五月初五日

四拜禮 號七十二月大英港香

THIRTY DOLLARS
PER ANNUM.

[illegible]

Today's Advertisements.

THEATRE ROYAL CITY HALL.

LAST NIGHTS!
THE NEW
WILLARD OPERA COMPANY.
TONIGHT.
(THURSDAY), 27th JUNE.
"A LADDIN."
TOMORROW.
(FRIDAY), 28th JUNE.
By Special Request
"THE CARYATYD GIRL."
SATURDAY, 29th JUNE.
"THE LADY SLAVEY."
PLAN at 7.30. KELLY & WALSH'S, Ltd.
Late Trams will run 15 minutes after each performance.
Hongkong, 27th June, 1895. [847]

THE STAG HOTEL, (ESTABLISHED 1857).

148 & 150, QUEEN'S ROAD CENTRAL.
GOOD ACCOMMODATION.
MODERATE PRICES.
H. C. SHERMAN,
Manager.
Hongkong, 27th June, 1895. [844]

HONGKONG RIFLE ASSOCIATION.

SATURDAY, 29th JUNE, 1895.
AT 2.45 P.M.
COMPETITION, LONG RANGE CUP and
SPOONS: Range, 700 and 800 yards;
Ten Shots. Entrance fee, 10 cents.
G. K. MOORE,
Honorary Secretary.
Hongkong, 27th June, 1895. [850]

FOR SHANGHAI (DIRECT).

THE STEAMER
"LIFOO."
Captain Klopfer, will be despatched for the
above Port on SATURDAY, the 29th instant,
at 5 P.M.
For Freight or Passage, apply to
CARLOWITZ & Co.,
Agents.
Hongkong, 27th June, 1895. [846]

THE CHINA AND MANILA STEAMSHIP COMPANY, LIMITED.

FOR MANILA (DIRECT).
The Company's Steamship
"ESMERALDA,"
Captain G. A. Taylor, will be despatched for the
above Port on TUESDAY, the 2nd July, at 5
P.M.
This Steamer has Superior Accommodation
for Passengers and is fitted with the Electric
Light.
For Freight or Passage, apply to
SHEWAN & Co.,
General Managers.
Hongkong, 27th June, 1895. [847]

PACIFIC MAIL STEAMSHIP COMPANY.

NOTICE.
CONSIGNEES OF CARGO per Steamship
"CHINA."
Ships are hereby requested to send in their
Bills of Lading for countersignature and to take
immediate delivery of their Goods from along-
side.
Cargo impeding the discharge of the Vessel
will be landed and stored at Consignees' risk and
expense.
J. S. VAN BUREN,
Agent.
Hongkong, 27th June, 1895. [847]

BROWN, JONES & CO.

DEALERS IN
ITALIAN AND AMERICAN MARBLE AND
HONGKONG GRANITE CEMETERY.
MEMORIALS.
LETTERS CUT AND FILLED WITH IMPERISHABLE
LEAD CEMENT.

Intimations.

DAKIN, CRICKSHANK &
COMPANY, LIMITED,
VICTORIA DISPENSARY,
HONGKONG.

AERATED WATERS.

SODA WATER.
LEMONADE.
GINGER ALE.
SARSAPARILLA.
RASPBERRYADE, &c.

A. S. WATSON & CO., LIMITED.

CHEMISTS BY APPOINTMENT.
ESTABLISHED A.D. 1841.
MANUFACTURERS OF
AERATED WATERS.

OUR AERATED WATER FACTORY

is fitted with the best English Machinery,
embodying the latest improvements in the
trade.
The purest ingredients only are used, and the
most careful and cleanliness exercised in the
manufacture throughout.
The water used is proved by repeated analyses
to be absolutely pure.
For COAST PORTS, Waters are packed and
glazed on board ship at Hongkong prices, and
the full amount allowed for Packages and
Expenses when received in good order.

Intimations.

Counterfoll Order Books supplied on applica-
tion.
Our Registered Telegraphic Address is
"DISPENSARY, HONGKONG." And all
signed messages addressed thus will receive
prompt attention.

The following is a List of Waters always kept
ready in Stock:—

PURE AERATED WATER
SODA WATER
LEMONADE
POTASH WATER
SALTZET WATER
LITHIA WATER
SARSAPARILLA WATER
Tonic WATER
GINGER ALE
GINGERADE

No Credit given for Bottles that look dirty or
greasy, or that appear to have been used
for any other purpose than that of contain-
ing Aerated Waters, as such Bottles are
never used again by us.

A. S. WATSON & CO., LD.
THE HONGKONG DISPENSARY.
Hongkong, 27th June, 1895.

The Hongkong Telegraph

HONGKONG, THURSDAY, JUNE 27, 1895.

REUTERS' TELEGRAMS.

THE NEW BRITISH CABINET.
LONDON, June 25th.

The following Cabinet appointments have been
made:
Lord Salisbury, Prime Minister, and Minister
for Foreign Affairs.
Mr. Balfour, Leader of the House and First
Lord of the Treasury.
Mr. Chamberlain, Secretary of State for the
Colonies.
The Duke of Devonshire, President of
Council.
Sir Michael Hicks Beach, Chancellor of the
Exchequer.
Mr. Goschen, First Lord of the Admiralty.
It is reported that Mr. Corbett will be
appointed Secretary of State for India.

THE PARNELLITE PROGRAMME.

The Parnellites announce that they will
contest every seat in Ireland.

MARRIAGE OF A FRENCH PRINCESS.

The marriage of the Duke of Anjou and
Princess Helene D'Orleans has been solemnized
at "Kington-on-Thames," with full French
Royal State. Fifty Princes and Princesses were
present at the ceremony.

LOCAL AND GENERAL.

At Macao the day before yesterday the thermo-
meter registered 98 deg. in the shade.

SOME idea of the intense heat we are just now
experiencing may be gathered from the fact that
on the Canton wharf at 4 o'clock this afternoon
the thermometer registered 98 deg. in the shade.

FOR stealing a piece of wood valued at 40 cents,
the property of Her Majesty the Queen, from
Ly-ee-mun Fort, an unfortunate coolie was sent
"aboard" for twenty-one days by Mr. Woodhouse
to-day.

THE Master of the steam launch *Fu On* was
fined \$10 at the Police Court to-day for
unnecessarily blowing his whistle in the Harbour
yesterday. He planked down the shillings
instantly.

THE export of matches from Japan has hitherto
been confined to Shanghai, Hongkong, India,
Bombay and Singapore, but, according to a
Japanese contemporary, several foreign firms
in Kobe are now sending trial shipments to
America.

By kind permission of Col. Barrow and Officers,
the Band of the Hongkong Regiment will play
near the Police Pier, Kowloon, on Saturday,
the 29th inst., at 6 p.m., and in the Public Gardens
on Wednesday, the 3rd proximo, at 9.30 p.m.,
weather permitting.

At the Magistracy to-day, two coolies were
charged with having twenty tins of prepared
opium in their possession without a certificate.
Not being able to explain how they got it, Mr.
Woodhouse imposed fines aggregating \$105, and
being short just that amount the defendants are
"doing time."

Mr. Dunn, the U.S. Minister at Tokio, gave a
banquet to Mr. Foster (China's Legal Adviser)
on the 19th inst. at the U.S. Legation. The
German, French and Russian Representatives,
the British *Chargé d'Affaires*, Secretaries of
various foreign Legations, and some officials of
the Japanese Foreign Department were invited
to meet Mr. Foster.

A FAREWELL dinner to Professor John Milne
F.R.S., who left Japan for England on the 21st
instant, was given by the members of the Tokio
Club at the Rokumeikan, Tokio, on the 15th
instant. About seventy sat down to dinner, the
chair being occupied by Mr. W. H. Stone,
Foreign Vice-President of the Club, his *vice-præ-*
siding being the United States Representative. The
British and Italian Representatives, and several
of the principal Japanese residents of Tokyo
were also present. Professor Milne's health was
proposed by the Vice-President, and a very
pleasant evening was spent.

BEFORE the Full Court this morning the case of
Sing Sui v. Inspector Wm. Stanton was heard.
This was an appeal from the Police
Magistrate's decision, the plaintiff having been
convicted and was actually "doing time" for
bringing a Chinese girl, of fourteen years of age,
into this Colony and, as alleged, placing her in
a house of prostitution for purposes of prostitution.
The plaintiff admitted bringing the child to the
colony but denied that she did so for purposes of
prostitution. Their lordships dismissed the
appeal with costs. Mr. Ed. Robinson appeared
for the appellant, and Mr. A. G. Wise (Attorney
General) for the respondent.

COLONEL DE WOGACK, *attaché* of the Russian
Legation, Lieutenant Barber, of the U.S. Legation,
Captain Du Bonay, *attaché* of the French
Legation, Captain Taylor, Surgeon-Colonel Taylor,
of England, and Lieutenant O'Brien, of the U.S.
Legation, were entertained by the Emperor of
Japan on the 18th inst. at the Imperial Palace,
Tokio, together with several high officers of the
Japanese army and navy.

THE recent decision of the United States
Supreme Court in striking out the right of
habeas corpus proceedings in the case of Chinese
attempting to land in America in violation of the
law, seems to be all that is necessary to enable
the U.S. Treasury Department to successfully
exclude the Mongolian immigrant. It is,
according to our San Francisco exchanges, the
most important victory ever gained by the
promoters of the anti-Chinese movement.

JAMES C. Carter of New York, Edward J. Phelps,
of Vermont, late Minister to England; ex-Senator
Edmunds of Vermont, and C. Stuart Patterson,
of Philadelphia, the judges appointed by the
American Philosophical Society to award a prize
of \$500 in gold for the best essay on the subject
of jurisprudence, made their award on the 25th
ultimo. The winner is Mr. George H. Smith,
of Los Angeles, whose essay was entitled
"The Theory of the State." Mr. Smith, who is
about 32 years of age, is a prominent lawyer
and property-owner of Los Angeles.

THE story of Japan's submission to the dictate
of three European Powers as to the terms of
peace with China is almost pathetic, says the
Fraser Bulletin. The three most powerful
military nations in Europe were combined
against Japan, and there was not a friend in
sight. The English Government, says our
contemporary, played the part of the cautious
friend with a large stock of advice on hand—
Just so. That was because Rosebery and
Kimberley were at the helm. They are "out"
now, though, and it is to be hoped will never
again sway the destinies of the British Empire.

THE entertainment given by the Royal Engineer's
Variety Club last night was a decided success. It
is impossible to especially mention the efforts of
any one in particular where all those who took
an active part in the proceedings did so well.
A most enjoyable evening was spent, and when
the time came for closing everybody wished it
was going to continue for another hour or two.
The entertainment concluded with the laughable
sketch "Barney's Milk," and, bar jokes, it
certainly appeared a mistake from beginning to
end, and this being so loud laughter was con-
stantly evoked by the funny situations and witty
sayings of the painstaking comedians. Now,
what our reporter and the whole audience want
to know is when will the talented members
of the Variety Club give another of these
pleasant entertainments? They can't do so too
soon or too often.

UNDER date 15th June the *Hankow* correspond-
ent of the *Shanghai Mercury* reports that
an increasing demand for a better class of tea
Whereas formerly a comparatively small
percentage was bought at prices over 12s. 25
a picul, we find that some 40 per cent. of the
first crop this year fetched over that price;
one sixth of the first crop being purchased
at rates over 12s. 45. The English demand
continues to increase, Russia now practically
monopolising the market, and being this
year an eager buyer. Advice bearing date the
10th instant state that the first crop has been
practically exhausted, but is considerably larger
than last year, the excess being calculated at
115,000 half-chests. The settlements up to date
for the last three years have been respectively
530,000, 615,000 and 715,000 half-chests.

THE *Japan Gazette* in a recent issue:—

"Affairs in Korea still wear a sombre aspect.
Count Inouye is returning and the Japanese
seem nonplussed. It is plainly stated in Russian
semi-official quarters that Russia intends to
have an open port in the Pacific. For this we
do not condemn her, and it certainly will not be
to English interests to thwart her desires. But it
is otherwise with Japan, and the Japanese
press is loud in its denunciations of the
Northern power. In fact the present position
must be considered as one of war within the
interchange of shot and shell. But signs are
evidently preparing for the coming struggle.
More Russian ships are on their way out, while
Japan is repelling hers with all the celebrity
she can command. The Treaty of Peace has
not settled the Eastern Question, it has only
transferred it from Manchuria to Korea." And
the *Gazette* is probably perfectly right in so far
as it asserts that the Far Eastern Question will
be settled in Korea, not in Manchuria.

Sai Tei-kan, a Chinese who was captured at
Wei-hai-wei and is now confined at Osaka, is
said to have formerly been a pupil of Dr.
Northrop, who is now visiting Japan, while in
the United States. Learning of this, says the
Night Night, Dr. Northrop, who is now on a
visit to Japan, called on Sai Tei-kan in Osaka,
to the great delight of the prisoner. When in
conversation with Dr. Northrop, he told his
former instructor that he was treated with great
kindness and did not know how to express his
gratitude. He added that it was certain he
would be benefited if he returned to his own
country, he wished to become a naturalized
Japanese, and he asked Dr. Northrop if he would
ask the Japanese Government for the necessary
permission. Dr. Northrop is said to have con-
veyed the wish of the Chinese prisoner to the
heads of the Government, and has also inter-
viewed Count Oyama, Count Saigo, Marquis
Sano, and Lieut.-General Kodama on the
matter.

THEATRICAL ITEMS: Under date London 25th
May the following news was wired to the *Fraser
Chronicle*:—

The principal event of the week was Jerome
K. Jerome's "Pride and Prejudice," produced
at the Comedy Theatre with indifferent success.
On Thursday last the Gaiety Company gave a
benefit to their colleagues, Edward Payne.

Arthur Boucher has decided to go into
management on his own account, at a West End
theatre.

Besides Pinero's new play already promised
to Comyns Carr of the Comedy Theatre, Mr. Carr
has also commissioned Sydney Grundy to write
a play to follow later.

Sir Augustus Harris, by engaging a new
prima donna in the place of Miss Calve, has
done a double stroke of business, for Miss
Calve has now signed a contract to appear at
Covent Garden toward the end of the term.

Beecham Tree will produce "Fedora" at the
Haymarket to-day, with a strong cast.
Cissie Loftus has been engaged at the
"Empire" at a salary of 100 guineas a week.

THE PLAGUE.

Sanitary Board.

Hongkong, 27th June, 1895.

TO THE EDITOR OF THE "HONGKONG TELEGRAPH."
Sir,—There are now no cases of plague under
treatment in Kennedy Town Hospital. The
patient from 255 Queen's Road West died yester-
day afternoon. The other case mentioned in
the last daily return as being under treatment
was not a case of plague.

The following are the statistics from June
14th to noon this day:—

No. of cases reported.....12
Deaths.....12
Cases under treatment.....None.

The total number of deaths since the 29th of
April, the day on which the first case was
reported, is seventeen.

W. EDWARD CROW,
Asst. Sanitary Superintendent.

THE PLAGUE AT MACAO.

Our Macao correspondent reports under date
25th instant that there is now a marked decrease
in the number of deaths from plague, the daily
returns seldom coming up to a few cases and
two deaths. Street cleaning and disinfecting
goes on apace.

THE RUSSIAN LOAN.

All the negotiations with regard to the Russian
loan have, says the *Shanghai Mercury* of the
22nd instant, hitherto been conducted at St.
Petersburg, under the eyes of the Russian
Minister for Foreign Affairs, which accounts,
of course, for so little being known of the details
from time to time. Up to yesterday (21st) no con-
vention had been signed, but it was expected that
it might possibly be finally arranged to-day or
on Monday (23rd).

The Chinese Government has definitely
rejected the offer of the Russian loan, and has
declined to guarantee the interest, foreseeing
that such a course would be precisely to place
the entire finances of the Empire in the hands of
a Foreign Power, and the loan, if issued, will be
as a guaranteed loan under the ordinary condi-
tions.

EUROPEAN PARTNERS IN ASIA.

The May number of the *Contemporary*
Review contains an article on "European
Partners in Asia." It is written entirely from
the English point of view, the maintenance of the
European, especially of the English-European,
ascendancy in Eastern Asia being the ground-
work of the article.

The writer is of opinion that the
victory of Japan in the late war, having
given her the position of a rising power with
capabilities of aggression as well as defense,
Europe can no longer consider Asia as her
legitimate prey, to be parcelled out among her
various countries, according to their wealth and
power. Great Britain, in the South and
Russia, in the North, have held a practical
overlordship of Asia, while the French Republic,
by virtue of a few possessions in Indo-China,
claims to belong to this syndicate of partition.

These are only three countries which
practically represent Europe in Asia. France
will probably be the first to be menaced by the
awakening of the Japanese whose presence at
Formosa would be a serious check on her
attempts to influence China. These colonies of
France have, however, cost her so dear that it
would be a financial gain to her if she should
lose some of them, even if she suffered for it in
wounded vanity.

These are the real positions of Russia,
of Partition. The question of European influence
in Asia lies between Russia and England.
There can be no attitude in this matter unless
the two empires are at peace with each other,
which is fortunately true at the present time.
But they should have more than good inten-
tions toward each other; they should be partners
and allies. The question of the redistribution
of political power in Asia should be one
for Russia and England jointly. There
are no difficulties in this matter, for the
principle of European concert in China
is not solely established as it was in
Egypt, and Europe as a whole would
not doubt recognize the leadership of these two
countries. The essential element of such a
partnership would be mutual confidence, neither
country setting without consulting the other. If
this resulted in inaction it would be just as well,
as opportunity would be left for the slow natural
evolution of events.

Those who think this partnership impossible
do not understand the real position of Russia.
Many have thought that she wished for Russia
in Constantinople, but the truth is that Russia is
perfectly satisfied to have the important Turk
as the tenant of this city. If the Anglo-Russian
partnership were in working order the American
question might be amicably settled, so that the
Sultan would retain his nominal authority,
while the Russians, backed by the English,
would have the real control. The authority of
the Turk would be preserved at Constantinople,
but diminished in the provinces.

In Eastern Asia the Anglo-Russian partner-
ship would preclude all necessity for Russian
intervention between the Chinese and their Japanese
conquerors. At present, there is little fear that
Japan is at once going to oust England from her
position of commercial supremacy in China, but
says the writer of the article now under notice,
there is danger in this quarter if England does
not keep her eyes open, and see the advantage
to her in a friendly alliance with Russia.

THE WILLARD OPERA COMPANY.

As will be seen by an advertisement in another
part of this issue the Willard Opera Company, by
special request, will give a second performance
of "The Gaiety Girl" to-morrow evening. The
piece, which is absolutely devoid of vulgarity,
abounds in funny situations, pretty dances,
clever songs and up-to-date witlings. The
plot of which, talented *artistic* such as
Messrs. C. Schobert, A. J. Lowe, Harry
Hall, F. Courtney, Miss Ethel Mackay,
Miss L. Mowbray, Miss M. Howard and Miss
L. Roberts make for capital—last simple
one.—Charles Goldfield, a wealthy officer of the
Guards, has fallen in love with Miss Alma
Somerset, the "Gaiety Girl," who after considerable
hesitation accepts his offer of marriage.
Alma is a thoroughly good girl, and only agrees
to marry Goldfield, with whom she is in love,
after being convinced of the strength of his
attachment and of the sincerity of his declaration
that he places her above all conventional interests.
Lady Virginia Forest, a leader of fashion, and
a lady with a history attempts to break off the
match and descends to the role of conveying
her bracelet to Alma's possession, and laying
upon her the suspicion of theft. Alma, over-
come with shame, withdraws to the Continent,
and it is long before her lover succeeds in tracing
her and proving her innocence, which he does
at last triumphantly. The first part of the play
is laid at Windsor where the Guards are
giving an entertainment; and the latter part in
the Riviera, where the famous bathing and
carnival scenes take place.

On Friday Mr. Harry Hall, the best all-round
comedian that ever performed in Hongkong,
will have a big hand in the game at the *Rev.
Montague, Brilly*, while Miss E. Mackay
(Miss M. Howard, *Alma Somerset*),
Miss L. Mowbray and Courtney and Miss L.
Mowbray will all contribute largely towards

what will probably eventuate in one of the
greatest successes ever achieved by an opera
company in Hongkong.
For to-night Aladdin is billed.

THE CORBETT-FITZSIMMONS PRIZE FIGHT.

THE BROTHERS TO MEET IN TEXAS.

News was received from San Francisco
by the *China* this morning which leaves no
room for doubt about the stakes and other
"preliminaries" connected with the long-looked-
for prize fight between Champion James Corbett,
of America, and Robert Fitzsimmons, of Australia,
having been satisfactorily settled, and that the
battle will take place, probably, in Texas, during
the autumn of the current year.

The San Francisco *Chronicle* of the 4th
instant contains the following information on
this subject, which will doubtless interest
generally, and those who possess "cracks" with
the mittens in particular:—

NEW YORK, June 18th.
To-night it is practically certain that Corbett
and Fitzsimmons will meet in the squared circle.
The fight will take place in Dallas, Tex., if
present plans are successfully carried out. This
condition of affairs has been brought about by
Dan Stewart, of Dallas, Tex., who is here as the
representative of a syndicate of Dallas men, and
fortified with a certified check for \$40,000.

Stewart left his hotel during the day for the purpose
of interviewing, and calling twice at Corbett's
generally, and those who possess "cracks" with
the mittens in particular:—

Stewart returned to his hotel shortly after noon,
and when seen by a reporter said he had made
an appointment to meet Joe Vendig, the repre-
sentative of the Florida Athletic Club, this
evening.

In reply to questions regarding the possibilities
of the event coming off successfully in the Lone
Star State Mr. Stewart said:—There is no
doubt about bringing off the fight. There is no
Texas statute which will be violated by such an
exhibition, and I can assure you that gentlemen
are anxious to have the fight take place who
would not have anything to do with it if there
was anything illegal about the matter.

"The fight, if possible, will take place in the
daytime. We have made provisional arrange-
ments with the railway companies, and our
friends from the North and West will have low
rates."

Fitzsimmons, Joe Vendig and Dan Stewart
called on Lawyer Friend at his office this after-
noon and discussed the pros and cons of the big
mill.

They all agreed that everything looked
promising for the meeting between Corbett and
Fitzsimmons. Friend said he was quite satisfied
with the guarantees and that the affair would go
through. The Corbett end of it, according to
him, is all settled, and he is also satisfied with the guar-
antees given by the Texas man.

Later the backers of the pugilists met in an
up-town sporting-house, and they reported after
the conference that they are confident the fight
will be pulled off in the latter part of October, at
Dallas.

As preliminaries to the contest for the
championship, it is proposed to match the
winners of the Maher-O'Donnell and Choyinski-
Hall fights, soon to be decided.

Tommy Ryan of Chicago and Billy Smith of
Boston and the best man at the weights against
Billy Plummer for a limit or no-limit fight are also
mentioned.

DALLAS (Tex.), June 18th.
In pugilistic and sporting circles it is regarded
as certain that the Corbett-Fitzsimmons fight
will take place in Dallas. The following dis-
patch was received here to-day:—

NEW YORK, June 18th.
Am almost certain everything will be closed
our way to-morrow night. Am trying hard to
make terms that will leave the Yankee money
in Texas.

(Sd) A. S. STEWART.
The fight will take place during the State
Fair, which begins on October 15th and ends on
the 31st. An immense building, enclosing an
amphitheater with a seating capacity of 30,000,
will be erected for the occasion. This building
will probably be erected just outside the fair
grounds.

INTERESTING SHIPPING CASE.

(Before Mr. Justice Bruce.)

IN RE THE DERELICT "ARNO."

Mr. Justice Bruce delivered judgment in this
case last month. His lordship in rendering his
decision said:—The full rigged sailing ship *Arno*
belonging to Mr. J. Nourse, of London, left New
York on the 21st March last with a cargo of
grain for Liverpool. There were at people on
board, being 28 of the crew, the captain, his wife
and child. On March 28th she was struck by
a terrific sea, which threw her on her beam ends,
when the cargo shifted. The crew managed to
right the vessel, but two days later she was
again thrown on her beam ends. On March 31st
the Hamburg-American liner *Normanna*, came
up with the disabled vessel, and took her crew
on board, and eventually landed them at
Southampton. The German Emperor con-
firmed the officers and crew of the *Arno* for
their splendid services. After the *Arno* had
been abandoned the steamship *Merrimac*, from
New Orleans, fell in with her. The captain of
the *Merrimac* put a crew on board the *Arno*,
who eventually righted the vessel and took her
into Liverpool. The value of the *Arno*, with
her cargo was £40,000. She is a steel ship, of
1,250 tons register, and was built on the
Clyde last year. In this case the owners of
the *Arno* had applied to the court for an order
that the cargo should be given up to them without
payment of any freight. The question which he
had to decide was whether in the circumstances
of the case any freight was due. The cargo
was shipped on board the *Arno* under bills of
lading dated March 31st, to the ordinary form.
He understood that the perils of the sea and the
distress of the vessel were such as to justify the
master and crew in abandoning her. It had
been contended, on the authority of the *Clio* (7
Proberts and *Dryden*) that the abandonment of
the ship without any intention to re-
take possession of her entitled the owners of the cargo
to treat the contract of carriage as determined,
and to demand possession of the cargo without
payment of freight. The circumstances of this
case were different from those of the *Clio*, and
the question which he had to determine was
whether the principle laid down in the *Clio*
applied. In this case it happened that the port
of destination of the *Arno* was taken as a port of
discharge. It was not so in the case of the *Clio*.
But this circumstance, he thought, could not
make any difference in principle. The real
question in this case was whether the master
and the crew of the *Arno*, by abandoning the
ship, indicated their intention not to carry on the
contract, so as to entitle the owner of the cargo
to treat their act as putting an end to the contract.
On April 18th the Solicitors for the owners of the
cargo gave formal notice to the Solicitors of the
owners of the *Arno* that they considered the
contract of carriage at an end, and they
had never since done anything inconsistent with
the notice. On the other hand, the owners of
the ship, ever since they heard that she was in
the hands of the salvors, had done all that
they could do to assert their claims and
carry out the contract as far as possible,
and also had demanded freight. It seemed

to him that April 18th, the day when the
owners of the cargo gave formal notice that they
treated the contract as at an end, was an impor-
tant date. If before the 18th, the shipowners had
been able to resume possession of the ship and
cargo, and proceeded to carry out the contract,
it might be that they would have been entitled to
say to the cargo owners—your election to that, the
abandonment of the ship as an act determining
the contract, comes too late. But that was not
what happened. The shipowners were not
before the 18th April in a position to resume
possession of their ship. It was true that on
the 11th of April they made an agreement with
the representatives of the salvors that the
salvors should on arrival in the United Kingdom
deliver up possession to them, but at that time
the owners of the *Arno* had no control over
the salvors or over the destination of the ship.
He did not think that the salvors could be
regarded as the agents of the owners of the *Arno*
for the purpose of carrying on the contract of
carriage. Up to April 18th, the shipowners were
unable to do anything to undo the act of aban-
donment, and so long as they remained powerless
to avert the result of the act he thought
it was open to the owners of the cargo to
elect to treat the abandonment of the ship as the
determination of the contract. He thought no
subsequent act of the shipowner could revive the
contract. He must therefore decide that the
owners of the cargo were entitled to have their
goods released without payment of freight. He
had endeavored to the best of his ability to
apply what seemed to him to be the principle
laid down in the case of the *Clio* to the facts of
this case, but he regarded the case as presenting
some features of difficulty, and

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